



Memorandum

TO: Historic Landmarks Commission

FROM: Courtney Damkroger

SUBJECT: Discussion and Action Regarding the
Inclusion of the Home at 40 S. 7th
Street in the Historic Resources Inventory

DATE: January 28, 2003

APPROVED:

DATE:

BACKGROUND

The home at 40 S. 7th Street was evaluated as a part of the Downtown East Frame Historic Resources Survey, completed in November 2002. While the home is not currently listed in the Historic Resources Inventory, the documentation provided as a result of the survey demonstrates that the building qualifies for listing. The home has been vacant for many years, is in a deteriorated state and the owner has applied for a Special Use Permit to enable demolition. The owner is not proposing to replace the home, and the site would be left vacant for future development.

Pursuant to Title 20, the Zoning Code, a Special Use Permit, heard by the Director of Planning, is needed to demolish a structure without an approved replacement plan for new development. On appeal, the application would be heard by the Planning Commission. However, if the applicant had a replacement plan for a new house, the regulatory process would change. As described above, the structure is not currently listed in the Historic Resources Inventory (although it is eligible). Therefore, if the applicant had a replacement plan for a single family house that met the R-M Multiple Residence Zoning District regulations, and did not meet any of the thresholds for a Single Family House Permit (i.e. it did not exceed 45% the lot area, and was not more than two stories and 30' in height), he could avoid a public Planning process and file for Building Permits for demolition of the existing building and construction of a new structure. Once a single family home is added to the Inventory, a Single Family House permit is required and applicants are not able to proceed with demolition and replacement by simply obtaining a Building Permit.

ANALYSIS

The attached Department of Parks and Recreation (DPR) form and Historic Evaluation Tally provide background on the significance of the home. It is estimated that the home dates to c. 1880. The home is significant for its architecture, as a well developed, early example of a vernacular Classical Revival style home that retains a high degree of integrity. The home appears to qualify not only for the Historic Resources Inventory but also as a Candidate City Landmark and potentially for the California and National registers under criteria 3 and C respectively.

COMMUNITY OUTREACH

A notice for the Historic Landmarks Commission meeting was mailed to the owner and all property owners and tenants within 300 feet of the subject site. In addition, a public hearing notice for the project will be mailed to all property owners and tenants within 300 feet of the subject site when the Director's Hearing date is identified. This is tentatively scheduled for late February, pending the Historic Landmarks Commission's consideration and recommendations on the application.

RECOMMENDATION

Planning staff recommends that the Historic Landmarks Commission add the historic home at 40 S. 7th Street to the San Jose Historic Resources Inventory.

Courtney Damkroger
Historic Preservation Officer

Attachments

C: Lisa Jensen, University Neighborhoods Coalition
Norman Finnance, South University Neighborhoods Association